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Security Council

Sixty-fourth year

Provisional

6176th meeting

Tuesday, 4 August 2009, 3 p.m.
New York

President:	Sir John Sawers	(United Kingdom of Great Britain and Northern Ireland)
Members:	Austria	Mr. Mayr-Harting
	Burkina Faso	Mr. Tiendrébéogo
	China	Mr. Liu Zhenmin
	Costa Rica	Mr. Urbina
	Croatia	Mr. Vilović
	France	Mr. Lacroix
	Japan	Mr. Okuda
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Mexico	Mr. Heller
	Russian Federation	Mr. Lukiyantsev
	Turkey	Mr. Çorman
	Uganda	Mr. Mugoya
	United States of America	Ms. Rice
	Viet Nam	Mr. Bui The Giang

Agenda

Children and armed conflict

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The meeting was called to order at 3.10 p.m.

Expression of thanks to the retiring President

The President: As this is the first meeting of the Security Council for the month of August 2009, I should like to take this opportunity to pay tribute, on behalf of the Council, to our Ugandan colleagues for their service in the presidency of the Security Council for the month of July 2009. I am sure I speak for all members of the Security Council in expressing great admiration for the way in which Ambassador Rugunda and his team conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

Children and armed conflict

The President: I should like to inform the Council that I have received letters from the representatives of Argentina, Australia, Belgium, Benin, Canada, Chile, the Comoros, Côte d'Ivoire, the Czech Republic, Denmark, Finland, Germany, Greece, Guatemala, Iceland, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Luxembourg, Monaco, the Netherlands, New Zealand, Norway, Peru, Portugal, the Republic of Korea, Rwanda, Slovenia, South Africa, Spain, Sweden, Switzerland, the United Republic of Tanzania and Uruguay, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Ms. Radhika Coomaraswamy, Special Representative of the Secretary-General for Children and Armed Conflict, and to Mr. Louis-Georges Arsenault, Director of the Office of Emergency Programmes at the United Nations Children's Fund.

It is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2009/399, which contains the text of a draft resolution submitted by 46 Member States: Argentina, Australia, Austria, Belgium, Benin, Burkina Faso, Canada, Chile, the Comoros, Costa Rica, Côte d'Ivoire, Croatia, the Czech Republic, Denmark, Finland, France, Germany, Greece, Guatemala, Iceland, Ireland, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Luxembourg, Mexico, Monaco, the Netherlands, New Zealand, Norway, Peru, Portugal, the Republic of Korea, Rwanda, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, the United States of America and Uruguay.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

in favour:

Austria, Burkina Faso, China, Costa Rica, Croatia, France, Japan, Libyan Arab Jamahiriya, Mexico, Russian Federation, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam.

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1882 (2009).

I shall now give the floor to those members of the Council who wish to make statements after the voting.

Mr. Heller (Mexico) (*spoke in Spanish*): Since this is the first meeting of the Security Council under the current presidency of the United Kingdom, allow me to warmly congratulate you, Ambassador Sawers, on your assumption of the presidency of the Council for the month of August. I am certain that you will have

excellent memories of your time on the Security Council in your future career. I would also like to express to Ambassador Ruhakana Rugunda and his team from the delegation of Uganda our thanks and recognition for their excellent work during the month of July.

In my capacity as Chair of the Security Council Working Group on Children and Armed Conflict, and in my national capacity, I am very pleased to be able to take the floor now that the Security Council has unanimously adopted resolution 1882 (2009), by which it reaffirms its unequivocal commitment to the protection of children in situations of armed conflict. This is a new, significant step by the United Nations for the protection of children.

With this resolution, the Security Council is sending a very clear political signal that the obligations imposed by international law on the parties to an armed conflict with regard to the safety, security and well-being of children must be respected, with no exceptions whatsoever.

Resolution 1882 (2009) is a fundamental step forward in the agenda for the protection of children. By broadening the criteria whereby parties to an armed conflict can be included in the reports that Secretary-General presents annually on this issue. In this way, the responsibility of the parties who, in contravention of international law, commit murder and maiming as well as rape and other forms of sexual violence against children can be considered by the Security Council.

Closely linked to the previous point, the resolution deals with major aspects inherent in the broadening of criteria, especially for the preparation of plans of action that are directed at putting an end to the practices of recruitment, killing, maiming and sexual violence. Likewise, in order to fight impunity, the resolution calls on States to take action to bring to national and international justice the perpetrators of crimes against children in situations of armed conflict.

The resolution contributes to transparency by asking the Secretary-General to make public the criteria and procedures used for listing and de-listing in his reports parties to conflicts that commit these crimes and by asking that timely information be exchanged with the Governments concerned through his Special Representative.

For all these reasons, resolution 1882 (2009) is a formidable tool for the Office of the Special Representative of the Secretary-General, UNICEF, the Department of Peacekeeping Operations, the United Nations monitoring teams and other actors, such as non-governmental organizations, which, on a daily basis, carry out their tireless work to improve the situation of children in many regions of the world. All of this will enhance the image and credibility of our Organization.

This resolution fulfils the commitment made by the Security Council during the Mexican presidency in April to take concrete action within three months to address the killing and maiming as well as rape and other forms of sexual violence committed against children.

In that regard, we can say that resolution 1882 (2009) is the most relevant development in this area since 2005, when the Security Council adopted resolution 1612 (2005), which created the monitoring and reporting mechanism and the Working Group on Children and Armed Conflict.

It is clear that in the past few years the Security Council has made substantial progress on this agenda. Nevertheless, we must also recognize that there is still much left to be done if we want children never again to fall victim to the spiral of violence that armed conflicts generate.

When assuming the great responsibility of chairing the Working Group, Mexico knew that we would need the will of all members of the Security Council if we were to achieve the objective of improving the protection of children in situations of armed conflict. In this framework, the initiative adopted today is a substantial contribution on which Mexico had the privilege of leading the collective effort of the members of this Council. I wish to express my personal thanks to the group of experts that undertook this task. I wish also to express my deep appreciation to the Office of the Special Representative, Ms. Radhika Coomaraswamy, and to UNICEF, for their tireless support and counsel.

I wish to conclude by acknowledging, on behalf of my delegation, the support given by all members of the Security Council to this resolution, and by acknowledging the large number of States Members of the United Nations that joined in sponsoring it.

The President: I thank the representative of Mexico for his and his delegation's leadership on this important issue in the Council.

Mr. Urbina (Costa Rica) (*spoke in Spanish*): I do not wish to let this opportunity pass, Mr. President, without extending my cordial congratulations to you and your Mission. I wish you the very best as you assume the presidency. You can count on our cooperation.

I should also like to thank Ambassador Rugunda and the entire Ugandan delegation for their very successful leadership of our work in July.

More than a decade has passed since the Security Council first considered the issue of children and armed conflict. Since then, six resolutions have been adopted. In various ways, the decision to strengthen the framework for the protection of children in conflict situations has been enacted in deed. The adoption of resolution 1882 (2009) significantly strengthens that framework and broadens the mechanisms provided for in resolutions 1539 (2004) and 1612 (2005).

The inclusion of two new criteria or triggers — sexual violence and killing and maiming — is testimony to the Security Council's resolve to respond effectively to the two most serious and frequently committed crimes against children in situations of armed conflict. We must continue to expand that progressive focus, while avoiding the establishment of artificial hierarchies.

The resolution addresses two issues to which Costa Rica attaches importance. We stress the need to improve communication and the exchange of information between the Working Group on Children and Armed Conflict and the sanctions committees, as well as the importance of making the issue of children an integral part of reports on situations in specific countries. Of equal importance are the calls to follow up on the recommendations of the Working Group; the fight against impunity and referrals of cases to international justice, when necessary; and the call for timely and sustained response in the rehabilitation of children affected by conflict.

Effective progress based on the resolution we have just adopted will depend on the performance of some important tasks. The first involves the implementation of action plans, which may be the most useful tool in attaining tangible results. Unfortunately, in many cases no such plans have been elaborated; in other cases, they have not been adopted. Costa Rica therefore welcomes the call for the consistent implementation of action plans and the information we are to receive on progress made in that respect. We also trust that such plans will henceforth include a component for the provision of comprehensive and sustained treatment to the victims of rape.

We also believe that the technology support of the Secretariat is necessary. It will help to systematize the information provided to the Working Group and to consolidate the historic memory of recommendations to the parties. This is an indispensable follow-up and accountability mechanism for the assessment and evaluation of the actions needed for compliance, especially with respect to repeated offenders.

The time is also ripe for improving the monitoring and reporting mechanism in order to make it more useful in the identification of trends and patterns of violations, and in the promotion of a strategic vision of possible solutions. Finally, we believe it necessary to establish objective criteria and procedures for inclusion on and exclusion from the annexed lists in the Secretary-General's reports, which will guarantee transparency, objectivity and consistency.

Before concluding, my delegation wishes to recognize the work undertaken by the delegation of Mexico to reach the agreements that allowed us to adopt this instrument of protection. We also thank all the members of the Working Group for their constructive attitude during negotiations, and Ms. Coomaraswamy and UNICEF for the support they provided to us. Similarly, on behalf of the Human Security Network, which Costa Rica will chair until May 2010, we welcome the conclusion of the process leading to today's adoption of resolution 1882 (2009). The protection of children in armed conflict has been a priority issue for the Human Security Network since its establishment.

The President: I thank the representative of Costa Rica for his kind words addressed to me.

There are no further speakers on my list. On behalf of the entire Security Council, I thank those who have been closely involved with this agenda item — the Ambassador of Mexico, Ms. Coomaraswamy, and the staff and leadership of UNICEF — for their important work on this dossier.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 3.25 p.m.